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Date	Total pages	Attorney number	Client/matter number
September 13, 2004	25	07358	103832-141711

To	Company	Fax number	Telephone
Commissioner for Patents	The USPTO	703-872-9306	

From	Fax number	Telephone
Eva Tan (Reg. No. 46,406)	973.992.4643	973.422.7904

Message:

Re: Patent Appl. No. : 09/910,141
 Applicants : Peter Emig et al.
 Filed : July 20, 2001
 Title : Novel Heteroaryl Derivatives And Their Use As Medicaments
 TC/A.U. : 1624
 Examiner : Habte, Kahsay
 Atty. Docket No. : 103832-466-NP

Submitted herewith are the following items for filing in the above-identified application:

- Supplemental Information Disclosure Statement and copies of cited references (24 pages)

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence, and attachments, if any, is being facsimile transmitted to the United States Patent and Trademark Office at fax number (703) 872-9306 on the date indicated below.

Yvette Alvarez-Perez

9/13/04

Date

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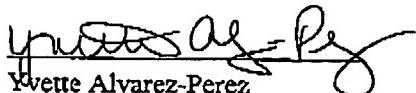
LIBNY/4337175.1

PAGE 1/25 * RCVD AT 9/13/2004 11:26:50 AM [Eastern Daylight Time] * SVR:USPTO-EFXRF-1/0 * DNIS:8729306 * CSID:9739924643 * DURATION (mm:ss):10:26

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Yvette Alvarez-Perez

9/13/04

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Applicants : Peter Emig et al.
Filed : July 20, 2001
Title : Novel Heteroaryl Derivatives And Their Use As Medicaments
TC/A.U. : 1624
Examiner : Habte, Kahsay
Atty. Docket No. : 103832-466-NP

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

Under the provisions of 37 C.F.R. §§ 1.56, 1.97 and 1.98, Applicants bring to the attention of the Examiner the documents listed on the attached PTO/SB/08 (substitute for form 1449/PTO). Copies of the listed documents are enclosed.

Cited Document No. 2 is an examination report of the corresponding Chinese Patent Application No. 01813158.1, wherein the Examiner cited four references to assert lack of novelty and inventiveness.

Reference 1 CN1219131A is equivalent to US 5,804,588. Reference 4 CN1196724A is equivalent to WO 98/00402. References 1, 3 and 4 have been submitted in the Information Disclosure Statement filed on February 15, 2002.

Reference 2 EP 0318235 is equivalent to US 4,937,246, which is being submitted herewith.

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form and returning a copy to applicants.

Each item of the information contained in this Supplemental Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Supplemental Information Disclosure Statement. The Commissioner is still authorized to charge any required fees to Goodwin Procter LLP Deposit Account 06-0923.

Respectfully submitted for Applicants,



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PTO/SB/08A (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

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Substitute for form 1449/PTD

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many shears as necessary.)

Sheet

1

3

5

Complete if Known

Application Number	09/910,141
Filing Date	July 20, 2001
First Named Inventor	Peter Emig
Art Unit	1624
Examiner Name	Habte, Kahsay
Attorney Docket Number	103832-466-NP

FOREIGN PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear
		Country Code ² -Number ⁴ -Kind Code ⁶ (if known)			
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**Examiner
Signature** _____ **Date
Considered** _____

***EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ***Applicant's unique citation designation number (optional).** ***See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 801.04.** Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ***For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.** ***Kind of document by Translation is attached.** ***Applicant is to place a check mark here if English language**

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete. Including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Substitute for form 1449/PTO				Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT				Application Number	09/910,141
				Filing Date	July 20, 2001
				First Named Inventor	Peter Emig
				Art Unit	1624
				Examiner Name	Habte, Kahsay
Sheet	2	of	2	Attorney Docket Number	103832-466-NP

NON PATENT LITERATURE DOCUMENTS

Examiner Signature		Date Considered	
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***EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.**

1 Applicant's unique citation designation number (optional). **2** Applicant is to place a check mark here if English language Translation is attached.
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